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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: : Art Unit: 2644
Thomasson : Examiner: J. Harold
Serial No.: 09/476,468 : Date: January 21, 2003
Filed: December 30, 1999 :
For: *Band-by-Band Full Duplex Communication*

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING
DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS
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Box Non-Fee Amendment

WASHINGTON, D.C. 20231, ON: JAN. 21, 2003

Date of Deposit

Paul G. Wille

1-21-03

Signature

Date

RESPONSE

Honorable Commissioner of Patents and Trademarks,
Washington, D.C. 20231

SIR:

In response to the Office Action dated October 23, 2002, the following remarks are
presented.

REMARKS

Reconsideration of the above-identified application is respectfully requested.

The Office Action dated October 23, 2002, is indicated as final. It is requested
that the finality be withdrawn. MPEP §706.07(a) says the following.

“Under present practice, second or any subsequent actions on the
merits shall be final, *except where the examiner introduces a new
ground of rejection* that is neither necessitated by applicant’s
amendment of the claims nor based on information submitted in an